

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

N.H., a minor, by and through his  
parents and guardians, DINA HORTON,

Plaintiffs,

v.

CENTRALIA SCHOOL DISTRICT,  
PENNY FUGATE and JOHN DOE  
FUGATE,

Defendants.

CASE NO. C22-5496 MJP

ORDER DENYING STIPULATED  
MOTION TO EXTEND

This matter comes before the Court on the Parties' Stipulated Motion to Extend Expert and Discovery Deadlines. (Dkt. No. 24.) Having reviewed the Motion and all supporting materials, the Court DENIES the Motion.

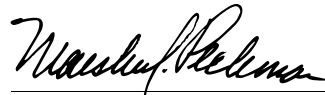
Rule 16(b)(4) states that "a schedule may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). "Rule 16(b)'s 'good cause' standard primarily considers the diligence of the party seeking the amendment." Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). "[T]he focus of the inquiry is upon the moving party's

1 reasons for seeking modification” and “[i]f that party was not diligent, the inquiry should end.”  
2 Id. (citation omitted).

3       The Court finds an absence of good cause. The Parties ask for an extension of the expert  
4 disclosure and discovery deadlines. The Parties assert that there is good cause to extend these  
5 deadlines because their agreed-upon mediator is only free after the expert deadline and shortly  
6 before the discovery deadline. (Mot. at 2-3.) The Parties’ desire to mediate does not provide  
7 good cause to extend the case schedule. The Court has not required the Parties to mediate. So  
8 while the Parties are free to engage in mediation with a mediator of their choosing, the mediation  
9 schedule does not provide grounds for the Court to alter the case schedule. Nor does an  
10 agreement to mediate satisfy the good cause standard. The Parties must continue to abide by the  
11 Court’s schedule and the Court DENIES the Motion.

12       The clerk is ordered to provide copies of this order to all counsel.

13       Dated March 8, 2023.

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15 Marsha J. Pechman  
16 United States Senior District Judge  
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